

Fresh Cut and Live Tree Fire Safety Regulations

.01 Purpose.

This chapter establishes fire safety standards regarding the display of evergreens in certain new and existing buildings and/or occupancies as prescribed herein.

.02 Scope.

These fire safety standards for use of evergreens apply to the following occupancy classifications as prescribed by the National Fire Protection Association, Life Safety Code, as adopted by incorporation by reference by the State Fire Prevention Commission:

- A. Assembly;**
- B. Educational;**
- C. Hospitals, Limited Care Facilities, and Nursing Homes;**
- D. Detention and Correctional;**
- E. Hotels, Motels, and Dormitories);**
- F. Residential Board and Care;**
- G. Day Care;**
- H. Merchandise; and**
- I. Business**

.03 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) "Code" means the National Fire Protection Association Life Safety Code.**
- (2) "Evergreen tree" means a Blue Spruce, Scotch Pine, or Douglas Fir tree.**
- (3) "Fresh Cut Tree" means an evergreen tree which has been cut, sawn or likewise harvested with the intention of decorative display within a building or structure.**
- (4) "Live tree" means a container grown balled and burlap or balled and potted tree that has been uprooted and its roots protected by an earthen ball.**
- (5) "Occupancies" means occupancy classifications as prescribed by the National Fire Protection Association Life Safety Code.**
- (6) "Artificial tree" means a man-made tree produced from paper, plastic, wood, metal, natural or synthetic fiber, or any other natural or chemical composition or combination of such materials arranged to imitate or otherwise resemble any species of evergreen tree.**

.04 Display.

A. Only a fresh cut tree or live trees as defined in these regulations shall be permitted to be displayed in the occupancies listed in section .02 of this regulation if its display complies with this chapter. No other species of fresh cut trees shall be permitted to be displayed in said occupancies.

B. A live or fresh cut tree shall not be displayed in the following occupancy classifications:

- (1) Nursing Homes, Hospitals, or Limited Care Facilities;**
- (2) Detention and Correctional;**
- (3) Educational;**
- (4) Residential Board and Care;**

(Exception: Small Residential Board and Care Facilities that are fully protected by an automatic fire sprinkler system that complies with the National Fire Protection Association Standards 13, 13R, or 13D.)

(5) Day care.

(Exception: Day Care Homes)

C. An artificial tree shall be permitted to be displayed in the occupancies listed in section .02 if it has been labeled or certified as flame retardant or flame resistant by a testing laboratory recognized by the Office of the State Fire Marshal. No other type of artificial tree shall be permitted to be displayed in said occupancies.

.05 Tagging of Trees.

A. A tag as prescribed in this regulation shall be affixed to a fresh cut tree by the grower. Information required by section .05 of this regulation shall be recorded on the tag, and the tag shall be affixed to the tree at the time of the original fresh cut. The tag shall remain on the tree and shall be readily accessible at all times for inspection purposes.

B. A fresh cut tree shall be cut in the presence of the user or on the date on which the user is to obtain the tree.

C. The Office of the State Fire Marshal shall provide tree tags and assign serial numbers to tree growers. The tree grower is henceforth responsible for the tags assigned to them by the State Fire Marshal.

D. The format for the tag shall be as shown in this regulation:

Fresh Cut Christmas Tree Certification

Serial No. _____

Species of Tree: _____

Date of Fresh Cut: _____

Date Tree Must be Placed in Building: _____

Date Tree Must be Removed from Building: _____

THIS TAG SHALL BE DISPLAYED IN COMPLIANCE WITH THE MARYLAND STATE FIRE PREVENTION CODE AND MAY NOT BE REMOVED OR ALTERED UNDER PENALTY OF LAW.

On the reverse of the tag shall be a form to record the date, time and initials of the person(s) assigned the responsibility to water the tree and maintain the tree in a fire safety condition.

E. Live trees shall not be required to be tagged by the grower.

.06 Placement and Maintenance.

A. A fresh cut tree used in permitted occupancies shall be placed in the occupancy within two (2) days of the original cutting.

B. Immediately prior to placement in a permitted occupancy, each fresh cut tree shall have an additional fresh cut made across the base of the trunk at least two (2) inches from the butt of the tree. No bark shall be removed from the basal area of the tree. Immediately after the fresh cut is made, each tree shall be placed in a tree stand which shall have a minimum water capacity of two (2) gallons. Also, loose needles and other debris shall be removed before the tree is displayed.

C. A fresh cut tree may be displayed within an occupancy or building for a maximum of 21 days from the original placement in the building.

D. The State Fire Marshal or local fire prevention authority having jurisdiction:

- (1) Shall approve the placement of a fresh cut or live tree in any occupancy under this regulation;**
- (2) Shall limit the number of fresh cut trees displayed in any occupancy as listed in this regulation;**
- (3) Shall have the authority to order the removal of any tree, fresh cut or live, from a building or occupancy if it is believed that the condition of the tree poses a hazard to life safety.**

E. A person displaying a tree shall not:

- (1) Obstruct an exit or place a tree in a corridor, exit way, or other means or egress;**
- (2) Place a tree near a heating vent or other fixed or portable heating device which could cause the tree to dry out prematurely or ignite;**
- (3) Display a fresh cut tree more than ten (10) feet tall, excluding the tree stand.**

F. Decorations.

- (1) Decorative gift packages, combustible tree skirts and/or combustible decorations shall not be placed on, under, or around a live or fresh cut tree. (Exception: Live or fresh cut trees displayed in a building protected throughout by an approved automatic sprinkler system.)**

G. Decorative Lighting and Lights

- (1) Only approved electric decorative lights, including cordless lights, and all associated wiring for said decorative lights which have been tested, listed and bear the mark of a testing laboratory recognized by the Office of the State Fire Marshal shall be permitted to be used on a fresh cut or live tree.**
- (2) Electric lights shall not be used on a metal artificial tree.**
- (3) Flame producing devices, such as, but not limited to candles, shall not be used on or near any type tree.**
- (4) Use of electrical extension cords shall comply with safe practices for said devices. Electrical extension cords shall not be placed across a traveled area, such as a corridor or aisle, where the extension cord could become damaged or cause a tripping hazard, unless the device is suitably protected and secured by proper conduit or other approved protective guard.**

H. Each live or fresh cut tree shall be stored either outside in a shaded area, or in an enclosed, unheated area until it is decorated.

I. An owner or operator of a building or particular occupancy shall daily maintain watering in the tree stand to prescribed levels, and maintain a record of the watering of a tree. Additionally, upon the request of a member of the Office of the State Fire Marshal or local fire prevention authority having jurisdiction, the owner or operator shall produce said record for inspection. Such record shall be incorporated as part of the tag requirements as stated in section .05D.

.07 Enforcement.

A. Live or fresh cut trees not complying with the provisions of this regulation shall be removed from a building or occupancy.

B. The Office of the State Fire Marshal or local fire prevention authority having jurisdiction shall enforce this regulation.

C. In a county or municipality with more stringent standards, the standards of that county or municipality shall apply.

Thank you for your concern and cooperation in the enforcement of these provisions. If you have any questions or

comments you can contact Division of Fire Code Enforcement @ 240-777-2457 or **email (could you make an icon for email and place it here.)**